

IN THE MATTER OF	*	BEFORE THE MARYLAND
JOCELYN KYLE, P.D.	*	STATE BOARD OF
LICENSE NO. 12948	*	PHARMACY
* * *	* * *	* * *

**CONSENT ORDER TERMINATING
SUMMARY SUSPENSION**

Background Findings

On August 7, 2003, the Maryland Board of Pharmacy (the "Board") summarily suspended the pharmacist's license held by Jocelyn Kyle due to mental disorders which were affecting her ability to practice pharmacy in a safe and competent manner. After a show cause hearing, the Board continued the summary suspension on December 8, 2003. Based upon the terms of the December 2003 Order, Ms. Kyle was permitted to petition the Board to lift the suspension provided that she: (1) follow the treatment recommendations set out in the evaluation ordered by the Board; (2) contact the Pharmacists Education and Assistance Committee; and (3) submit to a subsequent psychiatric evaluation concerning her ability to safely practice pharmacy.

On May 21, 2008, Jocelyn Kyle appeared before a quorum of the Board in support of her Petition to terminate the summary suspension of her license to practice pharmacy.

FINDINGS OF FACT

1. Ms. Kyle has been in treatment with a psychiatrist since 2004. Ms. Kyle's psychiatrist indicates that Ms. Kyle no longer presents any evidence of abnormal mental status, and that she is fit to practice pharmacy.
2. Ms. Kyle has likewise complied with all other treatment recommendations contained in the Board-ordered evaluation to include a neurological evaluation and appropriate medication management.

3. Ms. Kyle submitted to a subsequent psychiatric evaluation by a Board-assigned psychiatrist in March 2008. The evaluation indicates that Ms. Kyle is mentally fit to practice and is no longer in need of medication or psychiatric follow-up.
4. Ms. Kyle has maintained up-to-date continuing education credits.

CONCLUSIONS OF LAW

Ms. Kyle has complied with the terms of the Board's Order, dated December 8, 2003, and has otherwise demonstrated that she is capable of safely practicing pharmacy under the probationary conditions set forth below.

ORDER

Based on an affirmative vote of the Board, it is this 16th day of July, 2008, hereby:

ORDERED that the suspension of Ms. Kyle's license to practice pharmacy is hereby **TERMINATED**; and be it further,

ORDERED that Ms. Kyle's license shall be immediately placed on **PROBATION** for at least **ONE (1) YEAR**, subject to the following conditions:

1. Ms. Kyle shall not practice pharmacy in excess of 40 hours per week;
2. Ms. Kyle shall only practice pharmacy with another licensed pharmacist on the premises for the first ninety (90) days of employment;
3. Ms. Kyle shall insure that her pharmacy employer submit to the Board monthly employer reports for the first three (3) months of employment, and then quarterly employer reports for the remainder of the probationary period; and
4. Ms. Kyle shall work for only one pharmacy permit holder at a time; and be it further,

ORDERED that Ms. Kyle shall at all times cooperate with the Board in the monitoring, supervision, and investigation of her compliance with the terms and conditions of this Consent Order; and be it further,

ORDERED that Ms. Kyle's failure to fully cooperate with the Board shall be deemed a violation of the probationary terms and a violation of this Consent Order; and be it further,

ORDERED that should Ms. Kyle violate any of the terms and/or conditions of this Order, the Board, in its discretion, after notice and an opportunity for a hearing, may impose any additional sanctions, including revocation and/or a monetary penalty authorized under the Maryland Pharmacy Act; and be it further,

ORDERED that Ms. Kyle may petition the Board for release from probation no earlier than one (1) year after the effective date of this Order provided that she has been fully compliant with all of the terms of probation and there are no pending complaints against her; and be it further,

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

July 16, 2008
Date

Donald Taylor
Donald Taylor, P.D.
President, Board of Pharmacy

CONSENT

1. By signing this Consent, I hereby affirm the findings of fact contained herein and agree to be bound by the foregoing Consent Order and its conditions.
2. By this Consent, I submit to the foregoing Consent Order as a resolution of this matter. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
4. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

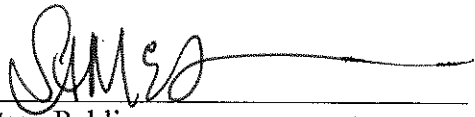
7-10-08
Date



Jocelyn Kyle, P.D.

STATE OF MARYLAND
COUNTY/CITY OF Montgomery:

I hereby certify that on this 10th day of July, 2008, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared JOCELYN KYLE, and made an oath in due form that the foregoing Consent was her voluntary act and deed.



Notary Public
My commission expires **STEPHANIE A. MCGOVERN**
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires February 10, 2009